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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/761,068	01/20/2004	Cynthia Florkey	14-8-21-20-5	2000

7590 11/02/2005

Docket Administrator (Room 3J-219)
Lucent Technologies Inc.
101 Crawfords Corner Road
Holmdel, NJ 07733-3030

EXAMINER

GELIN, JEAN ALLAND

ART UNIT	PAPER NUMBER
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2688

DATE MAILED: 11/02/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/761,068

Applicant(s)

FLORKEY ET AL.

Examiner

Jean A. Gelin

Art Unit

2681

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 January 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6 and 11-13 is/are rejected.
- 7) ☒ Claim(s) 7-10 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 January 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 2 are rejected under 35 U.S.C. 102(b) as being anticipated by Kim et al. (US 6,343,216).

Regarding claim 1, Kim teaches a method of performing a network-initiated reconnect of a mobile unit having experienced a service interruption during a call session controlled by a first mobile switching center (MSC) and not responding to a page attempt from the first MSC, the method comprising a second MSC (col. 1, line 62 to col. 2, line 19): receiving from the first MSC, a suspended call page request (col. 7, lines 28-31); paging the mobile unit (fig. 2, inherently base stations connected to MSC2 page MS in their coverage area); setting up a bearer channel to the mobile unit (i.e., inherently present in fig. 2 to carry conversation); and sending to the first MSC a suspended call page response including indicia of the bearer channel set up by the second MSC to the mobile unit (col. 7, lines 28-67).

Regarding claim 2, Kim teaches receiving the suspended call page response, and establishing a bearer channel to the second MSC thereby reconnecting the mobile unit to the call session (col. 7, lines 28-67).

3. Claim 6, 11, and 12 are rejected under 35 U.S.C. 102(b) as being anticipated by Lahtinen et al. (US 6,169,900).

Regarding claim 6, Lahtinen teaches in a wireless communication system wherein a call is established between a mobile unit and one or more participating units, the mobile unit being served by a first mobile switching center (MSC) when a service interruption is detected to the mobile unit (in fig. 3), a method comprising: maintaining bearer channels from the first MSC to the one or more participating units, at least temporarily, while awaiting possible reconnection of the mobile unit (col. 3, lines 31-43); determining that the mobile unit has roamed to a location served by a second MSC (col. 3, line 66 to col. 4, line 23); establishing a bearer channel from the second MSC to the mobile unit (col. 3, line 66 to col. 4, line 23); and establishing a bearer channel between the first and second MSC, thereby completing a reconnect of the mobile unit to the call (col. 3, line 66 to col. 4, line 23).

Regarding claim 11, Lahtinen teaches receiving at the second MSC a mobile-originated reconnect (MORC) message issued by the mobile unit, the MORC message indicating presence of the mobile unit within the location served by the second MSC (col. 3, line 31-43 and col. 3, line 66 to col. 4, line 23); sending from the second MSC to the first MSC, a suspended call handoff request indicating presence of the mobile unit within the location served by the second MSC (col. 3, line 31-43 and col. 3, line 66 to col. 4, line 23); and receiving at the first MSC, the suspended call handoff request (col. 3, line 31-43 and col. 3, line 66 to col. 4, line 23).

Art Unit: 2681

Regarding claim 12, Lahtinen teaches the first MSC, responsive to receiving the suspended call handoff request from the second MSC: retrieving session information associated with the interrupted call of the mobile unit (col. 3, line 31-43 and col. 3, line 66 to col. 4, line 23); and sending to the second MSC, a suspended call handoff acknowledgement including at least a portion of the session information (col. 3, line 31-43 and col. 3, line 66 to col. 4, line 23).

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 3-5 are rejected under 35 U.S.C. 102(e) as being anticipated by Nikkelen (US 2003/0207688).

Regarding claim 3, Nikkelen teaches a method comprising the first MSC: receiving, from a second MSC, a suspended call handoff request (sections 28-30); querying a database to find indicia of the call session (the anchor MSC illustrated in fig. 1 typically includes the profile of UE); sending to the second MSC a suspended call handoff acknowledgement including information associated with the call session (sections 28-30 and 36-39); and establishing a bearer channel to the second MSC (sections 36-39).

Art Unit: 2681

Regarding claim 4, Nikkelen teaches establishing a bearer channel to the mobile unit thereby reconnecting the mobile unit to the call session (inherently present in the handoff process, UE loses communication with the first system and reconnects with the second system, sections 36-39).

Regarding claim 5, Nikkelen teaches wherein the step of the first MSC receiving a suspended call handoff request is preceded by the second MSC: receiving a mobile-originated reconnect (MORC) message issued by the mobile unit (section 28); and querying a database for indicia of the call session (section 30); and sending to the first MSC the suspended call handoff request responsive to not finding indicia of the call session (section 28-30 and 33-36).

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lahtinen et al. (US 6,169,900) in view of Vo (US 6,795,444).

Regarding claim 13, Lahtinen teaches all the limitation above except starting a wait timer defining a waiting period to allow for reconnect of the mobile unit to the call; and ending the call if the mobile unit is not reconnected to the call before expiration of the waiting period.

However, the preceding limitation is known in the art of communications. Vo teaches a timer is provided in the handoff procedure to monitor the time required for the connection setup (col. 21, lines 24-34). Therefore, it would have been obvious to one of ordinary skill in the art, at the time of the invention, to implement the technique of Vo within the system of Lahtinen in order to indicate, upon the expiration of the timeout to handoff a call, to the mobile user that the connection is failed.

Allowable Subject Matter

8. Claims 7-10 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Burritt et al.	US 2004/0235509	11/25/2004
Yokota	US 6,058,320	05/02/2000
Choy et al.	US 6,032,040	02/29/2000
Merritt	US 2005/0054339	04/10/2005
Chun	US 2002/0068586	06/06/2002
Hellander	US 6,445,918	09/03/2002
Tamiguchi	US 5,802,472	09/01/1998
Lin et al.	US 6,633,555	10/14/2001

Art Unit: 2681

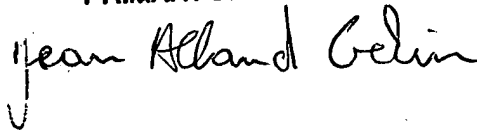
10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jean A. Gelin whose telephone number is (571) 272-7842. The examiner can normally be reached on 9:30 AM to 7:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, George Eng can be reached on (571) 272-7495. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JGelin
October 30, 2005

JEAN GELIN
PRIMARY EXAMINER

A handwritten signature in cursive script that reads "Jean A. Gelin". The signature is written in dark ink and is positioned below the printed name and title.